

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

JOSIAH JACOB ARQUETTE,

Defendant.

Case No. 1:18-CR-2026-SMJ**CRIMINAL MINUTES****DATE: JUNE 17, 2019****LOCATION: YAKIMA****SENTENCING HEARING**

Hon. Salvador Mendoza, Jr.		
Erin R. Sinclair Courtroom Deputy	02 Law Clerk	Lynette F. Walters Court Reporter
Benjamin David Seal Government Counsel	Jeremy B. Sporn Defendant's Counsel	
United States Probation Officer: Sean Carter		

[XX] Open Court**[] Chambers****[] Teleconference**

Defendant is present and is in custody of the US Marshal.

Objection by counsel to the Pre-Sentence Report; Defendant's objections are overruled by the Court; Government's objection is sustained.

The Court rules on and accepts the Pre-Sentence Report.

Mr. Seal presents sentencing recommendations on behalf of the government.

Mr. Sporn presents sentencing recommendations on behalf of the defendant.

Defendant's grandfather addresses the Court on behalf of the defendant.

Defendant addresses Court on his own behalf.

Imprisonment: 41 months with respect to the single count Indictment

Defendant shall receive credit for time served in federal custody prior to sentencing in this matter.

Court recommends placement of the defendant at FCI Coleman located in Florida.

Supervised Release: 3 years with mandatory conditions, standard conditions, and the following special conditions:

1. You must not communicate, or otherwise interact, with M.C., either directly or through someone else, without first obtaining the permission of the probation officer. You must not enter the premises or loiter within 1,000 feet of the victim's residence or place of employment.

[XX] ORDER FORTHCOMING

CONVENED: 1:32 PM.

ADJOURNED: 2:18 P.M.

TIME: 46 MINS.

CALENDARED [N/A]

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2. You must provide the supervising officer with access to any requested financial information and authorize the release of any financial information. The probation office may share financial information with the U.S. Attorney's Office. You must disclose all assets and liabilities to the supervising officer. You must not transfer, sell, give away, or otherwise convey any asset, without the advance approval of the supervising officer.
3. You must not incur any new debt, open additional lines of credit, or enter into any financial contracts, without the advance approval of the supervising officer.
4. You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.
5. You must submit your person, residence, office, or vehicle and belongings to a search, conducted by a probation officer, at a sensible time and manner, based upon reasonable suspicion of contraband or evidence of violation of a condition of supervision. Failure to submit to search may be grounds for revocation. You must warn persons with whom you share a residence that the premises may be subject to search.
6. You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.
7. You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
8. You must not enter into or remain in any establishment where alcohol is the primary item of sale. You must abstain from alcohol and must submit to urinalysis and Breathalyzer testing as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

Special Penalty Assessment:	\$100.00
Fine:	waived
Restitution:	\$256.35; payable to Community Health Plan of Washington – COR

Defendant shall participate in the BOP Inmate Financial Responsibility Program. During the time of incarceration, monetary penalties are payable on a quarterly basis of not less than \$25.00 per quarter.

While on supervised release, monetary penalties are payable on a monthly basis of not less than \$25.00 per month or 10% of the defendant's net household income, whichever is less, commencing 30 days after the defendant is released from imprisonment.

Appeal rights given